

Order Page 1 of 2  
Gary Christensen Washington County Recorder  
09/12/2023 09:46:03 AM Fee \$40.00 By SNOW  
JENSEN & REECE

The Order of the Court is stated below:

Dated: September 08, 2023 /s/ ERIC GENTRY  
09:57:32 PM District Court Judge



SNOW JENSEN & REECE  
Jeffrey R. Miles [14258]  
J. Tyler King [18035]  
Attorneys for Defendant  
912 W 1600 S, Suite B-200  
St. George, Utah 84770  
Telephone: (435) 628-3688  
[JMiles@snowjensen.com](mailto:JMiles@snowjensen.com)  
[TKing@snowjensen.com](mailto:TKing@snowjensen.com)

IN THE FIFTH JUDICIAL DISTRICT COURT FOR WASHINGTON COUNTY

STATE OF UTAH

<p>EVELYN OBERG, an individual, Plaintiff,  v.  DIXIE SPRINGS ARCHITECTURAL CONTROL COMMITTEE, an entity organized under the laws of the state of Utah,  Defendant.</p>	<p><b>ORDER GRANTING DEFENDANT'S APPLICATION FOR PRELIMINARY INJUNCTION</b></p> <p>Civil No. 230500079  Judge Eric R. Gentry</p>
<p>DIXIE SPRINGS ARCHITECTURAL CONTROL COMMITTEE, a domestic non- profit Utah corporation,  Counterclaimant,  v.  EVELYN OBERG, an individual  Counterclaim Defendant.</p>	

On August 4, 2023, this Court filed its Memorandum Decision and Order for Preliminary Injunction regarding Amendments to the CC&Rs. Therein, the Court set forth its findings of fact

and conclusions of law supporting its decision to grant Defendant/Counterclaimant Dixie Springs Architectural Control Committee's (ACC?) Application for Preliminary Injunction (the ? Application?). The Court having reviewed the Application, Defendant Evelyn Oberg's Opposition, the ACC's Reply, and exhibits thereto, being advised in the premises, and good cause appearing, HEREBY FINDS AND ORDERS AS FOLLOWS:

1. Pending further Court Order, the Fifth Amendment to Declaration of Covenants, Conditions, and Restrictions of Dixie Springs Subdivision, recorded on November 1, 2022 as document number 20220048624 (the ?Fifth Amendment?), has no effect.
2. All affected parties and owners of real property shall comply with the Declaration of Covenants, Conditions, and Restriction of Dixie Springs A Residential Subdivision and amendments thereto as they existed prior to the recording of the Fifth Amendment.
3. This Order shall be recorded with the Washington County Recorded as against those properties identified as Dixie Spring Subdivision Plat A, B, C, D, E, F, & G Amended and Extended.

SO ORDERED

-----END OF ORDER-----

(The Court's seal and e-signature appear in the upper right-hand corner of this document.)

Approved as to form:  
Takos Law Group, Ltd.

/s/ Zachary P. Takos  
Zachary P. Takos with permission via email 08/25/23  
Counsel for Plaintiff